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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/749,100 12/30/2003		Robert L. Barnett	BOBARN.007A	BOBARN.007A 3168	
20995	7590 10/31/2005		EXAMINER		
KNOBBE	MARTENS OLSON	JOHNSON, VICKY A			
2040 MAIN	STREET				
FOURTEENTH FLOOR			ART UNIT	PAPER NUMBER	
IRVINE, CA 92614			3682		

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Eatherstone for many ba available under the provision of 30° Rft 1:80°, in or event, however, may a reply be timely filled. If NO period for reply is specified above, the maximum catalutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Published for period will reply within the set or extended period for reply is specified above, the maximum catalutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication, even if timely filled, may reduce any satisfue patients an electronic Set of 27R 1:746(1). Status 1) Responsive to communication(s) filled on		Application No.	Applicant(s)					
Vicky A. Johnson 3682	Office Aution Occurrence	10/749,100	BARNETT, ROBERT L.					
- The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Eatherloss of time may be available under the provisions of 37 CFR. 1366), in no event, however, may arely be timefried 1 No period for regly is a perified above, the montions studiory prefet will peak and will easily and will easily expendent and the first of the provision of Claims 4) □ Responsive to communication(s) filed on □ 20) □ This action is final to the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 1-19 Is/are pending in the application. 4a) Of the above claim(s) □ is/are allowed. 5] □ Claim(s) 1-19 Is/are registed. 7) □ Claim(s) 1-19 Is/are pending in the application. Application Papers 9) □ The specification is objected to by the Examiner. 10) ☑ The drawing(s) filed on 30 December 2003 Is/are: alia accepted or b) □ objected to by the Examiner. Application Papers 9) □ The drawing(s) filed on 30 December 2003 Is/are: alia accepted or b) □ objected to by the Examiner. Application Papers 9) □ The oath or declaration is objected to by the Examiner. 10) ☑ The drawing(s) filed on 30 December 2003 Is/are: alia accepted or b) □ objected to by the Examiner. Application Papers 9) □ The oath or declaration is objected to by the Examiner. 10) ☑ The drawing(s) filed on 30 December 2003 Is/are: alia accepted or b) □ objected to by the Examiner. 10) ☑ The drawing(s) filed on 30 December 2003 Is/are: alia accepted or b) □ objected to by the Examiner. 10) ☑ The drawino Isoner □ □ Non	Office Action Summary	Examiner	Art Unit					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.13(a). In an event, however, may a risky be timely filled. Extensions of time may be available under the provisions of 37 CFR 1.13(a). In an event, however, may a risky be timely filled. Extensions of time may be available under the provisions of 37 CFR 1.13(a). In an event, however, may a risky be timely filled. Extensions of time may be available under the provisions of 37 CFR 1.13(a). In an event, however, may a risky be timely filled. Extensions of time may be available under the provision of 37 CFR 1.13(a). In an event, however, may a risky be timely filled. Fallow to reply within the set or estended periods for reply will, by advalue, cause the application to become AbANDONED (50 U.S. 5, 133). Any tray prevented by the difficult and the timely filled. Any tray prevented by the difficult and the timely filled of the communication, even if timely filled, may reduce any waiting patent term dejutioners. Set 37 CFR 1.74(b): This action is FINAL. 20) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-19 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. Claim(s) 1-19 is/are allowed. (Claim(s) 1-19 is/are allowed. (Claim(s) 1-19 is/are allowed. (Claim(s) 1-19 is/are rejected. 7) Claim(s) is/are allowed. (Claim(s) 1-19 is/are rejected. 7) Claim(s) is/are allowed. (Claim(s) 1-19 is/are objected to by the Examiner. 10) The specification is objected to by the Examiner. 10) The specification is objected to by the Examiner. 10) The provision of the provision		Vicky A. Johnson	3682					
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1) Responsive to communication(s) filed on	WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing	ATE OF THIS COMMUNICATION 16(a). In no event, however, may a reply be tim ill apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONED	l. ely filed the mailing date of this communication. O (35 U.S.C. § 133).					
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	3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) 🔲 Notice of Informal Pa						

Application/Control Number: 10/749,100

Art Unit: 3682

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States
- 2. Claims 1-7, 18, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Wang (US 6,161,448).

Wang discloses a control lever assembly, comprising: a control lever support (10) configured to be connectable to a handlebar assembly (110) of an associated vehicle, said support having an upper flange and a lower flange defining a space therebetween (unnumbered, see Fig 2), said upper flange defining an upper bore and said lower flange defining a lower bore (13), said upper bore and said lower bore aligned with one another along a pivot axis of said control lever assembly (see Fig 2); a control lever (20) defining a finger grip portion (22) and a mount portion (21), said mount portion defining an upper surface and a lower surface, a distance between said upper and lower surfaces sized such that said mount portion is receivable within said space (see Fig 1), said control lever additionally comprising an upper shaft portion extending from said upper surface and a lower shaft extending from said lower surface (see Fig 2), said upper shaft portion being supported within said upper bore and said lower shaft portion being supported within said lever is rotatably supported by said support (see Fig 2).

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3. Claims 8-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Hatakoshi et al (US 6,457,378).

Hatakoshi et al disclose a control lever assembly, comprising: a control lever support configured to be connectable to a handlebar assembly of an associated vehicle, said support having an upper flange (32) and a lower flange (33) defining a space therebetween (see Fig 3), said upper flange defining an upper bore and said lower flange defining a lower bore (see Fig 3); a control lever (37) defining a finger grip portion (35) and a mount portion (36), said mount portion configured to be receivable within said space and defining an aperture extending therethrough (see Fig 3); a pivot shaft (27) extending through said aperture and being rotationally fixed with respect to said control lever (see Fig 3), said pivot shaft defining a pivot axis of said control lever and having an intermediate shaft portion, an upper shaft portion and a lower shaft portion, said intermediate shaft portion positioned within said aperture (see Fig 3), and said upper shaft portion being supported within said upper bore and said lower shaft portion being supported within said control lever is supported by said support (see Fig 3).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

4,543,847	Nagano	(bearings)
3,776,061	Yoshigai	(bearings)
4 560 049	Uchibaba et al	(pivot shaft)

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6,578,445 Barnett (control lever)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vicky A. Johnson whose telephone number is (571) 272-7106. The examiner can normally be reached on Monday-Friday (7:00a-3:30p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Bucci can be reached on (571) 272-7099. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
Art Unit 3682